

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

WALTER OLDEN, JR.,	:	Case No. 3:11-cv-108
	:	
Plaintiff,	:	
	:	District Judge Timothy S. Black
- vs -	:	Magistrate Judge Michael R. Merz
	:	
SECRETARY OF VETERANS AFFAIRS,	:	
et al.,	:	
	:	
Defendants.	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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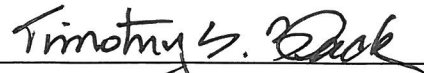
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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #3), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, and for good cause shown upon the Court's de novo review, hereby ADOPTS said Report and Recommendations.

Accordingly, it is **ORDERED** that Plaintiff's claims against the Secretary of Veterans Affairs are **DISMISSED** without prejudice as time-barred and his claims against Guy Richardson, Maxine Maclin and Ann Marie Barrett are **DISMISSED** without prejudice for failure to state a claim which relief can be granted. This case is **TERMINATED** on the docket of this Court.

**IT IS SO ORDERED.**

Date: 4/28/11

  
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Timothy S. Black  
United States District Judge